

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION**

**LUDIVINA GRACIA AND  
CELIA GRACIA,**  
*Plaintiffs,*

**VS.**

**MAURICE S. MCVEY AND  
BELFOR USA GROUP, INC.,**  
*Defendants.*

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**CIVIL ACTION NO. \_\_\_\_\_**

**NOTICE OF REMOVAL**

TO THE HONORABLE UNITED STATES DISTRICT JUDGE:

COMES NOW, **BELFOR USA GROUP, INC.**, Defendant in the above entitled and numbered cause, and, and files this its Notice of Removal of the present cause from the 445th Judicial District Court of Cameron County, Texas, in which it is now pending, to the United States District Court for the Southern District of Texas, Brownsville Division, showing the Court as follows:

1. This cause was commenced in the 445th Judicial District Court of Cameron County, Texas on April 1, 2021, when Plaintiffs' Original Petition was filed in Cause Number 2021-DCL-01960-I. Copies of Plaintiffs' Original Petition is attached hereto and incorporated herein for all purposes to this Notice of Removal.

2. Defendant Belfor USA Group, Inc. was served with a copy of Plaintiffs' Original Petition through its' registered agent, CT Corporation System on April 9, 2021. A copy of the Citation served on Defendant indicating the date of service is attached hereto and incorporated herein for all purposes.

3. This is a civil action for damages and injuries allegedly incurred by Plaintiffs as a result of an automobile accident which occurred on or about July 29, 2020 in Cameron County, Texas between Plaintiffs' vehicle and the vehicle driven by Defendant Maurice S. McVey while in the course and scope of his employment with Defendant Belfor USA Group, Inc.

Plaintiffs allege a cause of action for negligence against Defendant Maurice S. McVey and a cause of action for negligent entrustment against Defendant Belfor USA Group, Inc. Plaintiffs contend that Defendant Maurice S. McVey attempted to turn southbound when unsafe to do so from the shoulder of Padre Boulevard and collided with Plaintiffs' vehicle.

4. Plaintiffs alleged in Plaintiffs' Original Petition that they are residents of Cameron County, Texas. Plaintiffs are therefore citizens of Texas.

5. Plaintiffs alleged in Plaintiffs' Original Petition that Defendant Maurice S. McVey is a foreign individual, who resides at 5935 Leon Drive, Sun Valley, Washoe County, Nevada.

6. Defendant Belfor USA Group, Inc. is foreign corporation incorporated in the State of Colorado, with its principal place of business in Birmingham, Michigan.

7. Defendant Belfor USA Group, Inc. is entitled to removal since there is complete diversity jurisdiction in this case under 28 U.S.C. § 1332(a) since the Plaintiffs are not citizens of the same state in which the Defendant was either incorporated in or the state in which it has its principle place of business. *Safeco Ins. Co. v. City of White House*, 36 F.3d 540, 545 (6<sup>th</sup> Cir. 1994); *Getty Oil Corp. v. Insurance Co. of N. Am.*; 841 F.2d 1254, 1258 (5<sup>th</sup> Cir. 1988); *In re*

First Nat'l Bank; 70 F.3d 1184, 1188 (11<sup>th</sup> Cir. 1995); Indiana Hi-Rail Corp v. Decatur Junction Ry. 37 F.3d 363, 365 n.3 (7<sup>th</sup> Cir. 1994).

8. For the purposes of federal removal jurisdiction pursuant to 28 U.S.C. § 1441, complete diversity of citizenship existed at the time this lawsuit was filed and now exists between the adverse parties in the present cause.

9. Defendant Belfor USA Group, Inc. would show the Court that the amount in controversy exceeds \$75,000.00, exclusive of interest of costs.

10. Upon filing of this Notice of Removal of this cause, written notice of the filing by petitioner to Plaintiff and his counsel has been provided as required by law. A copy of this notice is also being filed with the Clerk of the State Court in which this cause was originally filed.

11. This Notice of Removal is timely filed in accordance with 28 U.S.C. § 1446(b), in that it is filed within thirty (30) days of service of Plaintiff's Original Petition on Defendant Belfor USA Group, Inc. and within one year of the initial filing of the lawsuit.

12. Defendant Belfor USA Group, Inc. hereby requests a trial by jury.

WHEREFORE, PREMISES CONSIDERED, Defendant prays for removal of the above entitled and numbered cause from the 445th Judicial District Court of Cameron County, Texas to this Honorable Court.

Respectfully submitted,

**ROERIG, OLIVEIRA & FISHER, L.L.P.**

855 W. Price Road, Suite 9

Brownsville, Texas 78520

TEL/ (956) 542-5666

FAX/ (956) 542-0016

By: /s/ D. Alan Erwin, Jr.

**D. ALAN ERWIN, JR.**

State Bar No. 06653020

Federal I.D. No. 20471

Email: [aerwin@roflp.com](mailto:aerwin@roflp.com)

**RANDALL GOMEZ**

Texas State Bar No. 24087599

Federal I.D. No. 3307537

Email: [rgomez@roflp.com](mailto:rgomez@roflp.com)

**JOHN DANIEL "J.D." VELA**

Texas State Bar No. 24096635

Federal I.D. No. 3307542

Email: [jdvela@roflp.com](mailto:jdvela@roflp.com)

Email: [nancyg@roflp.com](mailto:nancyg@roflp.com)

ATTORNEY FOR DEFENDANT

BELFORE USA GROUP, INC.

**CERTIFICATE OF SERVICE**

I hereby certify that on the 22<sup>nd</sup> day of April, 2021, a true and correct copy of the Notice of Removal has been electronically filed via CMECF and forwarded to all counsel of record in accordance with the Federal Rules of Civil Procedure.

Keith W. Lapeze

Taylor Shipman

Email: [taylor@lapezejohns.com](mailto:taylor@lapezejohns.com)

**LAPEZE & JOHNS, P.L.L.C.**

601 Sawyer Street, Suite 650

Houston, Texas 77007

/s/ D. Alan Erwin, Jr.

**D. ALAN ERWIN, JR.**

Attorney at Law

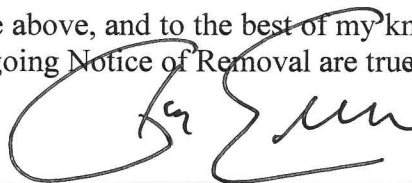


**VERIFICATION**

THE STATE OF TEXAS     §  
                                      §  
COUNTY OF CAMERON   §

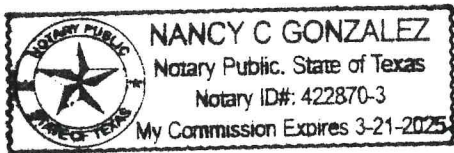
BEFORE ME, the undersigned authority on this day personally appeared **D. ALAN ERWIN, JR.** who being by me duly sworn, on his oath deposed as follows:

1. I am the attorney for **BELFOR USA GROUP, INC.**, one of the Defendants in the above referenced cause.
2. I am fully authorized and competent to make this Affidavit.
3. I am familiar with the contents of the above, and to the best of my knowledge, the factual statements set out in the foregoing Notice of Removal are true and correct.



**D. ALAN ERWIN, JR.**

SUBSCRIBED AND SWORN TO BEFORE ME on this the 22nd day of April, 2021.

  
NOTARY PUBLIC, STATE OF TEXAS

445TH DISTRICT COURT  
**CASE SUMMARY**  
CASE NO. 2021-DCL-01960

**Ludivina Gracia, Celia Gracia**  
**vs.**  
**Maurice McVey, Belfor USA Group Inc.**

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§  
§  
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Location: **445th District Court**  
Judicial Officer: **Rincones, Gloria M**  
Filed on: **04/01/2021**

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CASE INFORMATION

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Case Type: **Injury or Damage - Motor Vehicle**

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DATE

CASE ASSIGNMENT

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**Current Case Assignment**

Case Number	2021-DCL-01960
Court	445th District Court
Date Assigned	04/01/2021
Judicial Officer	Rincones, Gloria M

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PARTY INFORMATION

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**Plaintiff**

**Gracia, Celia**

*Lead Attorneys*

**LAPEZE, KEITH WALTON**

*Retained*

713-739-1010(W)

**Gracia, Ludivina**

**LAPEZE, KEITH WALTON**

*Retained*

713-739-1010(W)

**Defendant**

**Belfor USA Group Inc.**

**McVey, Maurice S.**

---


DATE

EVENTS & ORDERS OF THE COURT


INDEX

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04/01/2021 Original Petition (OCA)  
*Plaintiffs' Original Petition and Request for Disclosure*


04/01/2021  Efiled Original Petition Document  
*Plaintiffs' Original Petition and Request for Disclosure*

04/01/2021  Cover Letter - Request  
*Cover Letter*

04/05/2021  Citation Issued  
Party: Defendant Belfor USA Group Inc.

04/05/2021 **Citation**  
Belfor USA Group Inc. served 04/09/2021

04/12/2021  Service Return  
*Return of Service*

04/05/2021  Citation Issued  
Party: Defendant McVey, Maurice S.  
*Emailed Citations to 'taylor@lapezejohms.com', V.F.*

445TH DISTRICT COURT  
**CASE SUMMARY**  
CASE NO. 2021-DCL-01960

04/05/2021

**Citation**

McVey, Maurice S.

unserved

DATE	FINANCIAL INFORMATION
	<b>Plaintiff</b> Gracia, Ludivina
	Total Charges 323.00
	Total Payments and Credits 323.00
	<b>Balance Due as of 4/21/2021 0.00</b>

CAUSE NO. 2021-DCL-01960

**LUDIVINA GRACIA AND  
CELIA GRACIA,  
Plaintiffs,**

**VS.**

**MAURICE S. MCVEY AND  
BELFOR USA GROUP, INC.,  
Defendants**

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**IN THE DISTRICT COURT OF**

**CAMERON COUNTY, TEXAS**

Cameron County - 445th District Court

**\_\_\_\_\_ JUDICIAL DISTRICT COURT**

**PLAINTIFFS' ORIGINAL PETITION AND REQUEST FOR DISCLOSURE**

TO THE HONORABLE JUDGE OF SAID COURT:

COME NOW Plaintiffs **LUDIVINA GRACIA AND CELIA GRACIA** and file this Original Petition complaining of **MAURICE S. MCVEY AND BELFOR USA GROUP, INC.**, for causes of action, Plaintiffs would show as follows:

**I.**

***Discovery Control Plan***

1. Discovery in this action is intended to be conducted under Level 3, in accordance with Rule 190.4 of the TEXAS RULES OF CIVIL PROCEDURE.

**II.**

***Parties***

2. Plaintiff **LUDIVINA GRACIA** is an individual and resident of Cameron County, Texas.

3. Plaintiff **CELIA GRACIA** is an individual and resident of Cameron County, Texas.

4. Defendant **MAURICE S. MCVEY** is an individual and resident of Washoe County, Nevada. He may be served with process at his residence at 5935 Leon Drive, Sun Valley, Nevada 89433 or wherever he may be found.

5. Defendant **BELFOR USA GROUP, INC. ("Belfor")** is a Colorado corporation with its principal place of business in Birmingham, Michigan. Belfor may be served with process through

its registered agent, CT Corporation System, at 1999 Bryan Street, Suite 900, Dallas, Texas 75201 or wherever it may be found.

6. Plaintiffs specifically invoke the right to institute this suit against whatever entity was conducting business using the assumed or common name of “Belfor USA Group Inc.” with regard to the events described in this Petition. Plaintiffs expressly invoke their right under Rule 28 of the Texas Rules of Civil Procedure to have the true name of this party substituted at a later time upon the motion of any party or of the Court.

### **III.** ***Venue***

7. Venue is proper in Cameron County, Texas, in that the incident made the basis of this suit occurred in Cameron County, Texas.

### **IV.** ***Jurisdiction***

8. This Court has jurisdiction in this matter because the damages to Plaintiffs are within the jurisdictional limits of this Court.

### **V.** ***Factual Background***

9. Plaintiffs’ cause of action arises from an automobile collision that occurred on or about July 29, 2020, in Cameron County, Texas. Plaintiffs were traveling northbound on Padre Boulevard in the outside lane. Defendant McVey was driving a vehicle owned by Defendant Belfor and was stationary facing northbound on the shoulder of Padre Boulevard. As the Plaintiffs approached, Defendant McVey attempted to turn southbound when it was unsafe to do so, causing the Plaintiffs’ vehicle to collide with his. The collision caused the Plaintiffs serious injuries.



10. Defendant Belfor owned the vehicle Defendant McVey was driving. Defendant McVey was employed by Defendant Belfor. Defendant Belfor permitted Defendant McVey to drive the vehicle in the course and scope of his employment with them.

**VI.**  
***Causes of Action***

**A. Negligence and Negligence Per Se**

11. Plaintiffs incorporate the preceding paragraphs of this Petition as if set forth fully below.

12. At the time of the incident, Defendant McVey was operating the vehicle negligently. Defendant McVey had a duty to exercise ordinary care and operate the vehicle reasonably and prudently. Defendant McVey's negligence was the proximate cause of the Plaintiffs' injuries. Defendant McVey breached that duty in one or more of the following ways:

- a. Failing to timely apply the brakes;
- b. Turning when it was unsafe to do so;
- c. Failing to maintain a proper lookout; and
- d. Driving the vehicle at a rate of speed greater than that at which an ordinary and prudent person would have driven under the same or similar circumstances;
- e. Failing to operate the vehicle with the appropriate regard for the safety of all persons.

13. Each of the foregoing acts and/or omissions proximately caused the Plaintiffs' damages. Defendant McVey's acts also constitute negligence per se, as his actions were a direct and unexcused violation of Texas traffic laws, and the Plaintiffs are members of the class protected by those laws.

14. Defendant Belfor employed Defendant McVey at the time of the incident and Defendant McVey was, at all relevant times, acting in the course and scope of his employment with Defendant Belfor. The acts of negligence committed by Defendant McVey arose directly out of and were done in prosecution of the business that he was employed to do by Defendant Belfor, who is

therefore liable under the doctrine of Respondeat Superior for the negligent actions of Defendant McVey.

**B. Negligent Entrustment**

15. Defendant Belfor entrusted its truck to Defendant McVey. Defendant Belfor knew or should have known that Defendant McVey was an incompetent or reckless driver. As discussed above, Defendant McVey's negligence caused the incident in question, and proximately caused the Plaintiffs' damages.

**C. Negligent Hiring**

16. Defendant Belfor owed the Plaintiffs a legal duty to use ordinary care in determining whether a prospective employee is competent to be hired. Defendant Belfor breached that duty with regard to Defendant McVey. This breach proximately caused the Plaintiffs' damages.

**D. Negligent Supervision**

17. Defendant Belfor owed the Plaintiffs a legal duty to use ordinary care in adequately supervising its employees. Defendant Belfor breached that duty with regard to Defendant McVey. This breach proximately caused the Plaintiffs' damages.

**E. Negligent Retention**

18. Defendant Belfor owed the Plaintiffs a legal duty to use ordinary care in retaining its employees. Defendant Belfor breached that duty with regard to Defendant McVey. This breach proximately caused the Plaintiffs' damages.

**F. Negligent Training**

19. Defendant Belfor owed the Plaintiffs a legal duty to use ordinary care in adequately training its employees. Defendant Belfor breached that duty with regard to Defendant McVey. This breach proximately caused the Plaintiffs' damages.

**VII.**

***Damages Demanded from Defendants***

20. Plaintiffs seek monetary relief over \$1,000,000. TEX. R. CIV. P. 47(c)(5).

21. Plaintiffs seek recovery of the following categories of damages from Defendants: (1) past and future physical pain; (2) past and future mental pain and anguish; (3) past and future medical expenses; (4) past and future lost wages; (5) disfigurement; (6) past and future physical impairment; and (7) property damage.

22. As a further result of Defendants' negligence and/or negligence per se as described above, Plaintiffs have incurred expenses for medical care and attention and such expenses are continuing to accrue as of the filing of this petition. All of these expenses are reasonable and customary in the localities in which they were incurred.

23. As a further result of the injuries sustained by Plaintiffs, there is a reasonable probability that Plaintiffs will require further medical care and attention and will incur future reasonable and necessary expenses for this medical care and attention.

**VIII.**

***Preservation of Evidence***

24. Plaintiffs hereby request and demand that Defendants preserve and maintain all evidence pertaining to any claim or defense related to the incident made the basis of this lawsuit, or the damages resulting therefrom, including photographs; videotapes; audiotapes; recordings; business or medical records; bills; estimates; invoices; checks; correspondence; memoranda; files; facsimiles; email; voice mail; text messages; investigation; cellular telephone records; calendar

entries; and any electronic image, data, or information related to the Plaintiffs, the referenced incident, or any damages resulting therefrom. Failure to maintain such items will constitute spoliation of the evidence.

**IX.**  
***Required Disclosure***

25. Pursuant to Texas Rule of Civil Procedure 194(a), each Defendant is required to disclose, within thirty (30) days of the filing of the first answer, the information or material described in Rule 194.2(b)1-12. Any Defendant that is served or otherwise joined after the filing of the first answer must make their initial disclosures within thirty (30) days after being served or joined.

**X.**  
***Designated E-Service Email Address***

26. The following is the undersigned attorney's designated e-Service email address for all e-service documents and notices, filed and unfiled, pursuant to Tex. R. Civ. P. 21(f)(2) & 21(a): [taylor@lapezejohns.com](mailto:taylor@lapezejohns.com). This is the undersigned's only e-Service email address, and service through any other email address will be considered invalid.

**WHEREFORE, PREMISES CONSIDERED**, Plaintiffs pray that the Defendants be cited to appear and answer, and that on final trial Plaintiffs have:

- A. Judgment against Defendants in a sum in excess of the minimum jurisdictional limits of the Court for Plaintiffs' damages;
- B. Prejudgment interest;
- C. Post-judgment interest;
- D. Costs of court; and

All such other relief, at law or in equity, to which Plaintiffs may show themselves to be entitled.

Respectfully submitted,

LAPEZE & JOHNS, P.L.L.C.



Keith W. Lapeze  
Texas Bar No. 24010176  
Taylor Shipman  
Texas Bar No. 24079323  
601 Sawyer Street, Suite 650  
Houston, Texas 77007  
(713) 739-1010 Telephone  
(713) 739-1015 Fax  
taylor@lapezejohns.com

ATTORNEYS FOR PLAINTIFFS



THE STATE OF TEXAS

2021-DCL-01960-I

Ludivina Gracia § IN THE 445TH DISTRICT COURT  
VS § OF  
Maurice S. McVey § CAMERON COUNTY, TEXAS

TO **Maurice S. McVey**  
5935 Leon Drive  
Sun Valley NV 89433 or wherever he may be found

**NOTICE TO DEFENDANT:** "You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at [TexasLawHelp.org](http://TexasLawHelp.org)." TRCP. 99

You are hereby commanded to appear by filing a written answer to **Plaintiffs' Original Petition and Request for Disclosure** at or before 10:00 o'clock A.M. on the Monday next after the expiration of 20 days after the date of service of this citation before the Honorable 445th District Court of Cameron County, at the Courthouse in said County in Brownsville, Texas. Said **Plaintiffs' Original Petition and Request for Disclosure** was filed in said court on **April 01, 2021**, in the above entitled cause.

2021-DCL-01960-I

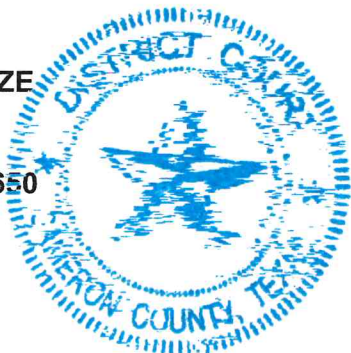
Ludivina Gracia, Celia Gracia  
vs.  
Maurice McVey, Belfor USA Group Inc.

The nature of Petitioner's demand is fully shown by a true and correct copy of **Plaintiffs' Original Petition and Request for Disclosure** accompanying this citation and made a part hereof.

The officer executing this writ shall promptly serve the same according to requirements of law, and the mandates thereof, and make due return as the law directs.

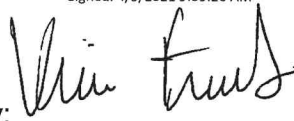
Issued and given under my hand and seal of said Court at Brownsville, Texas, on this the 5th day of April, 2021.

ATTORNEY:  
**KEITH WALTON LAPEZE**  
24010176  
713-739-1010  
601 SAWYER ST STE 650  
HOUSTON TX 77007



**Laura Perez-Reyes**  
District Clerk of Cameron County  
974 E Harrison St.  
Brownsville, Texas 78520

Signed: 4/5/2021 9:09:20 AM

By: 

**Viviana Fuentes**, Deputy Clerk

2021-DCL-01960-I 445th District Court	Ludivina Gracia, Celia Gracia vs. Maurice McVey, Belfor USA Group Inc.
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### RETURN OF SERVICE

Executed when copy is delivered:

This is a true copy of the original citation, was delivered to defendant \_\_\_\_\_, on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

NAME/ADDRESS FOR SERVICE

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ Officer  
County, TX

By: \_\_\_\_\_ Deputy

### OFFICERS RETURN

Came to hand on the \_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_ o'clock \_\_\_\_ m and \_\_\_\_\_ County, Texas, by delivering to each of the within named defendants in person, a true copy of this \_\_\_\_\_ with the date of delivery endorsed thereon, together with the accompanying copy of the \_\_\_\_\_ at the following times and places, to wit:

NAME	DATE/TIME	PLACE/COURSE/DISTANCE FROM COURTHOUSE

And not executed as to the defendant(s), \_\_\_\_\_  
The diligence used in finding said defendant(s) being:

and the cause or failure to execute this process is:

and the information received as to the whereabouts of said defendant(s) being:

FEES: \_\_\_\_\_ Officer  
SERVING PETITION/COPY \$ \_\_\_\_\_ County, TX  
TOTAL: \$ \_\_\_\_\_  
By: \_\_\_\_\_ Deputy

AFFIANT

### COMPLETE IF YOU ARE A PERSON OTHER THAN A SHERIFF, CONSTABLE, OR CLERK OF THE COURT.

In accordance with Rule 107: The officer or authorized person who serves, or attempts to serve, a citation shall sign the return. The signature is not required to be verified. If the return is signed by a person other than a sheriff, constable or the clerk of the court, the return shall be signed under penalty or perjury and contain the following statement:

"My name is \_\_\_\_\_, my date of birth is \_\_\_\_\_, my address is \_\_\_\_\_"

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

EXECUTED in \_\_\_\_\_ County, State of \_\_\_\_\_, on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

ID Number/Expiration of Certification

Declarant/Authorized Process Server

THE STATE OF TEXAS

**2021-DCL-01960-I**

Ludivina Gracia § IN THE 445TH DISTRICT COURT  
VS § OF  
Maurice S. McVey § CAMERON COUNTY, TEXAS

TO **Belfor USA Group, Inc.**  
**c/o CT Corporation System**  
**1999 Bryan Street, Suite 900**  
**Dallas TX 75201 or wherever it may be found**

**NOTICE TO DEFENDANT: "You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org." TRCP. 99**

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2021-DCL-01960-I

Ludivina Gracia,Celia Gracia  
vs.  
Maurice McVey,Belfor USA Group Inc.

The nature of Petitioner's demand is fully shown by a true and correct copy of **Plaintiffs' Original Petition and Request for Disclosure** accompanying this citation and made a part hereof.

The officer executing this writ shall promptly serve the same according to requirements of law, and the mandates thereof, and make due return as the law directs.


Issued and given under my hand and seal of said Court at Brownsville, Texas, on this the 5th day of April, 2021.

ATTORNEY:  
**KEITH WALTON LAPEZE**  
**24010176**  
**713-739-1010**  
**601 SAWYER ST STE 650**  
**HOUSTON TX 77007**



**Laura Perez-Reyes**  
District Clerk of Cameron County  
974 E Harrison St.  
Brownsville, Texas 78520

Signed: 4/5/2021 9:10:49 AM

By:   
**Viviana Fuentes, Deputy Clerk**



<b>2021-DCL-01960-I</b> <b>445th District Court</b>	<b>Ludivina Gracia, Celia Gracia</b> <b>vs.</b> <b>Maurice McVey, Belfor USA Group Inc.</b>
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### RETURN OF SERVICE

Executed when copy is delivered:

This is a true copy of the original citation, was delivered to defendant \_\_\_\_\_, on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

NAME/ADDRESS FOR SERVICE	_____ Officer
_____	_____ County, TX
_____	
_____	
_____	By: _____ Deputy

### OFFICERS RETURN

Came to hand on the \_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_ o'clock \_\_\_\_ m and \_\_\_\_\_ County, Texas, by delivering to each of the within named defendants in person, a true copy of this \_\_\_\_\_ with the date of delivery endorsed thereon, together with the accompanying copy of the \_\_\_\_\_ at the following times and places, to wit:

NAME	DATE/TIME	PLACE/COURSE/DISTANCE FROM COURTHOUSE

And not executed as to the defendant(s), \_\_\_\_\_

The diligence used in finding said defendant(s) being:

\_\_\_\_\_ and the cause or failure to execute this process is:

\_\_\_\_\_ and the information received as to the whereabouts of said defendant(s) being:

FEES:	_____ Officer
SERVING PETITION/COPY \$ _____	_____ County, TX
TOTAL: \$ _____	
	By: _____ Deputy

\_\_\_\_\_  
AFFIANT

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I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

EXECUTED in \_\_\_\_\_ County, State of \_\_\_\_\_, on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
ID Number/Expiration of Certification

\_\_\_\_\_  
Declarant/Authorized Process Server

**Service of Process  
Transmittal**

04/09/2021

CT Log Number 539358716

**TO:** Rachel Manos  
Belfor Holdings  
185 Oakland Ave Ste 150  
Birmingham, MI 48009-3430

**RE: Process Served in Texas**

**FOR:** Belfor USA Group, Inc. (Domestic State: CO)

**ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:**

**TITLE OF ACTION:** Ludivina Gracia and Celia Gracia, Pltfs. vs. Maurice S. McVey and Belfor USA Group, Inc., Dfts.

**DOCUMENT(S) SERVED:** -

**COURT/AGENCY:** None Specified  
Case # 2021DCL01960I

**NATURE OF ACTION:** Personal Injury - Vehicle Collision

**ON WHOM PROCESS WAS SERVED:** C T Corporation System, Dallas, TX

**DATE AND HOUR OF SERVICE:** By Process Server on 04/09/2021 at 15:11

**JURISDICTION SERVED :** Texas

**APPEARANCE OR ANSWER DUE:** None Specified

**ATTORNEY(S) / SENDER(S):** None Specified

**ACTION ITEMS:** CT has retained the current log, Retain Date: 04/09/2021, Expected Purge Date: 04/14/2021

Image SOP

Email Notification, Rachel Manos Rachel.Manos@us.belfor.com

Email Notification, Legal Help 411.legalhelpdesk@us.belfor.com

Email Notification, Jason Maltzman jason.maltzman@us.belfor.com

Email Notification, Mary Grace Elliott marygrace.elliott@us.belfor.com

**REGISTERED AGENT ADDRESS:** C T Corporation System  
1999 Bryan Street  
Suite 900  
Dallas, TX 75201  
866-331-2303  
CentralTeam1@wolterskluwer.com

The information contained in this Transmittal is provided by CT for quick reference only. It does not constitute a legal opinion, and should not otherwise be relied on, as to the nature of action, the amount of damages, the answer date, or any other information contained in the included documents. The recipient(s) of this form is responsible for reviewing and interpreting the included documents and taking appropriate action, including consulting with its legal and other





**Service of Process  
Transmittal**

04/09/2021

CT Log Number 539358716

**TO:** Rachel Manos  
Belfor Holdings  
185 Oakland Ave Ste 150  
Birmingham, MI 48009-3430

**RE: Process Served in Texas**

**FOR:** Belfor USA Group, Inc. (Domestic State: CO)

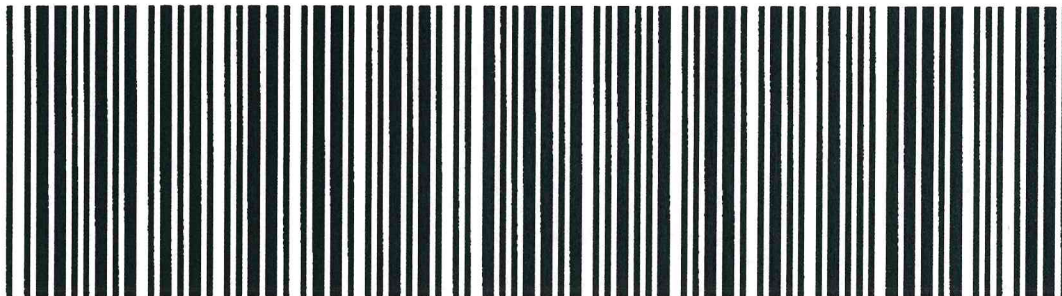
advisors as necessary. CT disclaims all liability for the information contained in this form, including for any omissions or inaccuracies that may be contained therein.

## PROCESS SERVER DELIVERY DETAILS

**Date:** Fri, Apr 9, 2021

**Server Name:** DON ANDERSON

Entity Served	BELFOR USA GROUP INC.
Agent Name	CT CORPORATION SYSTEM
Case Number	2021DCL01960I
Jurisdiction	TX



**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION**

**LUDIVINA GRACIA AND  
CELIA GRACIA,**  
*Plaintiffs,*

**VS.**

**MAURICE S. MCVEY AND  
BELFOR USA GROUP, INC.,**  
*Defendants.*

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**CIVIL ACTION NO. \_\_\_\_\_**

**NOTICE TO THE PLAINTIFFS OF  
FILING OF NOTICE OF REMOVAL**

**TO: LUDIVINA GRACIA AND CELIA GRACIA**  
Plaintiffs and their attorneys:

Keith W. Lapeze  
Taylor Shipman  
**LAPEZE & JOHNS, P.L.L.C.**  
601 Sawyer Street, Suite 650  
Houston, Texas 77007

PURSUANT to Title 28 U.S.C., Section 1446(d), as amended, you are hereby notified that on the 22<sup>nd</sup> day of April, 2021, in the above styled and numbered cause (being Cause Number 2021-DCL-01960-I in the 445<sup>th</sup> Judicial District Court of Cameron County, Texas), Belfore USA Group, Inc. filed its Notice of Removal in the United States District Court for the Southern District of Texas, Brownsville Division. Copies of such Notice and other papers so filed are attached hereto.

Respectfully submitted,

**ROERIG, OLIVEIRA & FISHER, L.L.P.**

855 W. Price Road, Suite 9

Brownsville, Texas 78520

TEL/ (956) 542-5666

FAX/ (956) 542-0016

By: /s/ D. Alan Erwin, Jr.

**D. ALAN ERWIN, JR.**

State Bar No. 06653020

Federal I.D. No. 20471

Email: [aerwin@roflp.com](mailto:aerwin@roflp.com)

**RANDALL GOMEZ**

Texas State Bar No. 24087599

Federal I.D. No. 3307537

Email: [rgomez@roflp.com](mailto:rgomez@roflp.com)

**JOHN DANIEL "J.D." VELA**

Texas State Bar No. 24096635

Federal I.D. No. 3307542

Email: [jdvela@roflp.com](mailto:jdvela@roflp.com)

Email: [nancyg@roflp.com](mailto:nancyg@roflp.com)

ATTORNEY FOR DEFENDANT

**CERTIFICATE OF SERVICE**

I hereby certify that on the 22<sup>nd</sup> day of April, 2021, a true and correct copy of the foregoing document has been electronically filed and forwarded to all counsel of record in accordance with the Texas Rules of Civil Procedure.

Keith W. Lapeze

Taylor Shipman

Email: [taylor@lapezejohns.com](mailto:taylor@lapezejohns.com)

**LAPEZE & JOHNS, P.L.L.C.**

601 Sawyer Street, Suite 650

Houston, Texas 77007

/s/ D. Alan Erwin, Jr.

**D. ALAN ERWIN, JR.**

Attorney at Law

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION**

**LUDIVINA GRACIA AND  
CELIA GRACIA,**  
*Plaintiffs,*

**VS.**

**MAURICE S. MCVEY AND  
BELFOR USA GROUP, INC.,**  
*Defendants.*

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**CIVIL ACTION NO. \_\_\_\_\_**

**NOTICE TO THE DISTRICT CLERK OF  
FILING OF NOTICE OF REMOVAL**

**TO: HONORABLE LAURA PEREZ-REYES**  
Cameron County District Clerk  
Cameron County Courthouse  
974 E. Harrison  
Brownsville, Texas 78520

You will please take notice that Defendant Geico General Insurance Co. Has filed in the United States District Court for the Southern District of Texas, Brownsville Division, a notice of removal of the cause styled: Ludivina Gracia and Celia Gracia v. Maurice S. McVey and Belfor USA Group, Inc., originally filed in the 445<sup>th</sup> Judicial District Court of Cameron County, Texas, Cause No. 2021-DCL-01960, to the United States District Court for the Southern District of Texas, Brownsville Division., and that a true and correct copy of said Notice of Removal is being filed with the Clerk of the 445<sup>th</sup> Judicial District Court to thereby effect a removal to said District Court of the United States, and that the State Court shall proceed no further, unless the cause is remanded. A copy of said notice of removal is attached to this notice.



WITNESS the signature of Defendant, through its attorney, on this the 22<sup>nd</sup> day of April, 2021.

Respectfully submitted,

**ROERIG, OLIVEIRA & FISHER, L.L.P.**  
855 W. Price Road, Suite 9  
Brownsville, Texas 78520  
TEL/ (956) 542-5666  
FAX/ (956) 542-0016

By: /s/ D. Alan Erwin, Jr.  
**D. ALAN ERWIN, JR.**  
State Bar No. 06653020  
Federal I.D. No. 20471  
Email: [aerwin@rofllp.com](mailto:aerwin@rofllp.com)  
**RANDALL GOMEZ**  
Texas State Bar No. 24087599  
Federal I.D. No. 3307537  
Email: [rgomez@rofllp.com](mailto:rgomez@rofllp.com)  
**JOHN DANIEL "J.D." VELA**  
Texas State Bar No. 24096635  
Federal I.D. No. 3307542  
Email: [jdvela@rofllp.com](mailto:jdvela@rofllp.com)  
Email: [nancyg@rofllp.com](mailto:nancyg@rofllp.com)  
ATTORNEY FOR DEFENDANT

**CERTIFICATE OF SERVICE**

I hereby certify that on the 22<sup>nd</sup> day of April, 2021, a true and correct copy of the foregoing document has been electronically filed and forwarded to all counsel of record in accordance with the Texas Rules of Civil Procedure.

Keith W. Lapeze  
Taylor Shipman  
Email: [taylor@lapezejohns.com](mailto:taylor@lapezejohns.com)  
**LAPEZE & JOHNS, P.L.L.C.**  
601 Sawyer Street, Suite 650  
Houston, Texas 77007

/s/ D. Alan Erwin, Jr.  
**D. ALAN ERWIN, JR.**  
Attorney at Law

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION**

**LUDIVINA GRACIA AND  
CELIA GRACIA,**  
*Plaintiffs,*

**VS.**

**MAURICE S. MCVEY AND  
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**CIVIL ACTION NO. \_\_\_\_\_**

**INDEX OF ATTORNEYS**

1. Keith W. Lapeze  
Texas State Bar No. 24010176  
Taylor Shipman  
Texas State Bar No. 24079323  
Email: [taylor@lapezejohns.com](mailto:taylor@lapezejohns.com)  
Lapeze & Johns, P.L.L.C.  
601 Sawyer Street, Suite 650  
Houston, Texas 77007  
TEL/ (713) 739-1010  
FAX/ (713) 739-1015  
ATTORNEY FOR PLAINTIFFS
  
2. D. Alan Erwin, Jr.  
State Bar No. 06653020  
Federal I.D. No. 20471  
Email: [aerwin@roflp.com](mailto:aerwin@roflp.com)  
Randall Gomez  
Texas State Bar No. 24087599  
Federal I.D. No. 3307537  
Email: [rgomez@roflp.com](mailto:rgomez@roflp.com)  
John Daniel "J.D." VELA  
Texas State Bar No. 24096635  
Federal I.D. No. 3307542  
Email: [jdvela@roflp.com](mailto:jdvela@roflp.com)

Roerig, Oliveira & Fisher, L.L.P.  
855 W. Price Road, Suite 9  
Brownsville, Texas 78520  
TEL/ (956) 542-5666  
FAX/ (956) 542-0016  
ATTORNEY FOR DEFENDANT  
BELFOR USA GROUP, INC.

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION**

**LUDIVINA GRACIA AND  
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**VS.**

**MAURICE S. MCVEY AND  
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**CIVIL ACTION NO. \_\_\_\_\_**

**INDEX OF DOCUMENTS FILED**

1. Civil Cover Sheet
2. Notice of Removal with following attachments:
  - a. State Court's Docket Sheet
  - b. Plaintiffs' Original Petition
  - c. Citation – Personal Service – TRCP 99 – Maurice S. McVey
  - d. Citation – Personal Service – TRCP 99 – Belfor USA Group, Inc.
  - e. Notice of Service to Belfor USA Group, Inc.
3. Notice to Plaintiffs of Filing of Notice of Removal
4. Notice to District Clerk of Filing Notice of Removal
5. Index of Attorneys
6. Index of Documents Filed
7. Order for Conference and Disclosure of Interested Parties



**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION**

**LUDIVINA GRACIA AND  
CELIA GRACIA,**  
*Plaintiffs,*

**VS.**

**MAURICE S. MCVEY AND  
BELFOR USA GROUP, INC.,**  
*Defendants.*

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**CIVIL ACTION NO. \_\_\_\_\_**

**ORDER FOR CONFERENCE AND DISCLOSURE OF INTERESTED PARTIES**

1. Counsel shall appear for an initial pretrial and scheduling conference before

U.S. Judge \_\_\_\_\_  
on \_\_\_\_\_, 2021, at \_\_\_\_\_ o'clock \_\_\_\_\_m.  
at the United States District Courthouse  
Brownsville, Texas  
(conference may be held telephonically if requested)

2. Counsel shall prepare and file with the clerk within fifteen days from receipt of this order a certificate listing all persons, associations of persons, firms, partnerships, corporations, affiliates, parent corporations, or other entities that are financially interested in the outcome of this litigation. If group can be specified by a general description, individual listing is not necessary. Underline the name of each corporation whose securities are publicly traded. If new parties are added or if additional persons or entities that are financially interested in the outcome of the litigation are identified at any time during the pending of this litigation, then each counsel shall promptly file an amended certificate with the clerk.
3. Fed. R. Civ. P. 4(m) requires defendant(s) to be served within 120 days after the filing of the complaint. The failure of plaintiff(s) to file proof of service within 120 days after the filing of the complaint may result in dismissal of this action by the court on its own initiative.

4. After the parties meet as required by Fed. R. Civ. P. 26(f), counsel shall prepare and file not less than 10 days before the conference, a joint report of meeting and joint discovery/case management plan containing the information required on the attached form.
5. The Court will enter a scheduling order and may rule on any pending motions at the conference.
6. Counsel who file(s) or remove(s) an action ***is responsible for providing the other parties with a copy of this order and in addition*** must serve a copy of this order with the summons and complaint or with the notice of removal.
7. Attendance by an attorney who has authority to bind the party is required at the conference.
8. Counsel shall discuss with their clients and each other whether alternative dispute resolution is appropriate and at the conference shall advise the Court of the results of their discussions.
9. A person litigating pro se is bound by the requirements imposed upon counsel in this Order.
10. Failure to comply with this order may result in sanctions, including dismissal of the action and assessment of fees and costs.

By Order of the Court

## CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

**I. (a) PLAINTIFFS**

Ludivina Gracia and  
Celia Gracia

(b) County of Residence of First Listed Plaintiff Cameron  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

Keith Lapeze and Taylor Shipman, Lapeze & Johns, PLLC, 601 Sawyer  
Street, Suite 650, Houston, TX 77007, TEL/ (713) 739-1010

**DEFENDANTS**

Maurice S. McVey and  
Belfor USA Group, Inc.

County of Residence of First Listed Defendant Washoe County  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE  
LAND INVOLVED.

Attorneys (If Known)

D. Alan Erwin, Jr., Roerig, Oliveira & Fisher, LLP, 855 W. Price  
Road, Suite 9, Brownsville, TX 78520, TEL/ (956) 542-5666

**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question  
(U.S. Government Not a Party)
- ☒ 4 Diversity  
(Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   | PTF                                   | DEF                                   |   | PTF                        | DEF                                   |
|---|---------------------------------------|---------------------------------------|---|----------------------------|---------------------------------------|
| Citizen of This State                   | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1            | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4            |
| Citizen of Another State                | <input type="checkbox"/> 2            | <input checked="" type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input checked="" type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3            | <input type="checkbox"/> 3            | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6            |

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input checked="" type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <b>PERSONAL INJURY</b> <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence <b>Habeas Corpus:</b> <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition		

**V. ORIGIN**

(Place an "X" in One Box Only)

- ☐ 1 Original Proceeding
- ☒ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from another district (specify)
- ☐ 6 Multidistrict Litigation
- ☐ 7 Appeal to District Judge from Magistrate Judgment

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
28 U.S.C. § 1332(a)

Brief description of cause:

Auto accident which occurred on July 29, 2020 between Plaintiffs and Defendant McVey.

**VII. REQUESTED IN COMPLAINT:**

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

04/22/2021

FOR OFFICE USE ONLY

RECEIPT # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING IFP \_\_\_\_\_ JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_